

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*In re Application of:***Jo Ann M. CANICH****Serial No.:**

07/973,261

**Filed:** 11/9/1992**For:** Process for Producing Crystalline  
Poly- $\alpha$ -Olefins with a  
Monocyclopentadienyl Transition  
Metal Catalyst System**BEFORE THE EXAMINER:**

Roberto RABAGO

Group Art Unit No.: 1713

Attorney Docket No.:  
1989B010C/4

Baytown, Texas

February 4, 2004

DUPLICATE SUBMISSION OF EARLIER FILED RESPONSE UNDER 37 CFR 1.116,  
NOTICE OF APPEAL AND PETITION FOR EXTENSION OF TIME

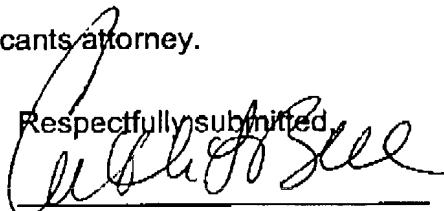
Dear Sir:

The attached documents were previously submitted and acknowledged as received by the USPTO. They appear to not have been matched with the file. For the Examiner's convenience, please accept these copies of the previous submissions and their respective proofs of submissions. They are:

- 1) Response under 37 CFR 1.116, filed October 1, 2003;
- 2) Proof of receipt of Response under 37 CFR 1.116, filed October 1, 2003;
- 3) Notice of Appeal and Petition for Extension of Time, filed January 12, 2004;
- 4) Proof of receipt of Notice of Appeal and Petition for Extension of Time, filed January 12, 2004.

If you have any questions please call the applicants attorney.

Feb 4, 2004  
Date

Respectfully submitted  
  
 Catherine L. Bell  
 Registration No. 35,444

ExxonMobil Chemical Company  
 Law Technology  
 P.O. Box 2149  
 Baytown, Texas 77522-2149  
 281-834-5982  
 catherine.l.bell@exxonmobil.com

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)  
\$1,280.00

## Complete if Known

|                      |                  |
|----------------------|------------------|
| Application Number   | 07/973,261       |
| Filing Date          | November 9, 1992 |
| First Named Inventor | Jo Ann M. Canich |
| Examiner Name        | Robert Rabago    |
| Art Unit             | 1713             |
| Attorney Docket No.  | 89B010C/4        |

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money order  Other  None  
 Deposit Account:

Deposit Account Number 05-1712  
 Deposit Account Name ExxonMobil Chemical Company

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$)     | Fee Code (\$) | Fee Description        | Fee Paid |
|-------------------|---------------|------------------------|----------|
| 1001 770          | 2001 385      | Utility filing fee     |          |
| 1002 340          | 2002 170      | Design filing fee      |          |
| 1003 530          | 2003 265      | Plant filing fee       |          |
| 1004 770          | 2004 385      | Reissue filing         |          |
| 1005 160          | 2005 80       | Provisional filing fee |          |
| SUBTOTAL (1) (\$) |               | \$0.00                 |          |

## 2. EXTRA CLAIM FEES FOR UTILITY AND

| Extra Claims       | Fee from below       | Fee Paid |
|--------------------|----------------------|----------|
| Total Claims       | -20** = 0 X 0 = 0.00 |          |
| Independent        | -3** = 0 X 0 = 0.00  |          |
| Multiple Dependent |                      |          |

Large Entity Small Entity

| Fee Code (\$)     | Fee Code (\$) | Fee Description  | Fee Paid |
|-------------------|---------------|--|----------|
| 1202 18           | 2202 9        | Claims in excess of 20                                     |          |
| 1201 88           | 2201 43       | Independent claims in excess of 3                          |          |
| 1203 280          | 2203 145      | Multiple dependent claim, if not paid                      |          |
| 1204 86           | 2204 43       | ** Reissue independent claims over original patent         |          |
| 1205 18           | 2205 9        | ** Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) (\$) |               | \$0.00   |          |

\*\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity        | Small Entity | Fee Description  | Fee Paid |
|---------------------|--------------|--|----------|
| 1051 130            | 2051 65      | Surcharge - late filing fee or oath  |          |
| 1052 50             | 2052 25      | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130            | 1053 130     | Non - English specification  |          |
| 1912 2,520          | 1812 2,520   | For filing a request for ex parte reexamination                            |          |
| 1804 920*           | 1804 920*    | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*         | 1806 1,840*  | Requesting publication of SIR after Examiner action                        |          |
| 1251 110            | 2251 66      | Extension for reply within first month                                     |          |
| 1252 420            | 2252 210     | Extension for reply within second month                                    |          |
| 1253 950            | 2253 475     | Extension for reply within third month                                     | 950.00   |
| 1254 1,480          | 2254 740     | Extension for reply within fourth month                                    |          |
| 1255 2,010          | 2255 1,005   | Extension for reply within fifth month                                     |          |
| 1401 330            | 2401 166     | Notice of Appeal   | 330.00   |
| 1402 330            | 2402 165     | Filing a brief in support of an appeal                                     |          |
| 1403 290            | 2403 145     | Request for oral hearing   |          |
| 1451 1,510          | 1451 1,510   | Petition to Institute a public use proceeding                              |          |
| 1452 110            | 2452 55      | Petition to revive - unavoidable   |          |
| 1453 1,330          | 2453 665     | Petition to revive - unintentional   |          |
| 1501 1,330          | 2501 665     | Utility issue fee (or reissue)   |          |
| 1502 480            | 2502 240     | Design issue fee   |          |
| 1503 640            | 2503 320     | Plant issue fee  |          |
| 1460 130            | 1460 130     | Petitions to the Commissioner  |          |
| 1807 50             | 1807 50      | Processing fee under 37 CFR § 1.17(q)                                      |          |
| 1806 180            | 1806 180     | Submission of Information Disclosure Statement                             |          |
| 8021 40             | 8021 40      | Recording each patent assignment per property (times number of properties) |          |
| 1809 770            | 2809 385     | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810 770            | 2810 385     | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801 770            | 2801 385     | Request for Continued Examination (RCE)                                    |          |
| 1802 900            | 1802 900     | Request for expedited examination of a design application                  |          |
| Other fee (specify) |              |  |          |

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

\$1,280.00

## Complete if applicable

|           |  |                                   |        |           |                  |
|-----------|--|-----------------------------------|--------|-----------|------------------|
| Name      | Catherine L. Bell (Customer No. 23455) | Registration No. (Attorney/Agent) | 35,444 | Telephone | 281-834-5982     |
| Signature | <i>Catherine L. Bell</i>               |                                   |        | Date      | January 12, 2004 |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |   |                        |                  |
|--|---|------------------------|------------------|
|  |   | Application Number     | 07/973,261       |
|  |   | Filing Date            | November 9, 1992 |
|  |   | First Named Inventor   | Jo Ann M. Canich |
|  |   | Art Unit               | 1713             |
|  |   | Examiner Name          | Robert Rabago    |
| Total Number of Pages in This Submission | 3 | Attorney Docket Number | 89B010C/4        |

## ENCLOSURES (check all that apply)

|  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form   | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance Communication to Group   |
| <input checked="" type="checkbox"/> Fee Attached   | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input checked="" type="checkbox"/> Amendment / Reply  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply)  |
| <input checked="" type="checkbox"/> After Final  | <input type="checkbox"/> Petition to Convert a Provisional Application                  | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)   | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter  |
| <input checked="" type="checkbox"/> Extension of Time Request  | <input type="checkbox"/> Terminal Disclaimer  | <input type="checkbox"/> Other Enclosure(s) (please identify below):  |
| <input type="checkbox"/> Express Abandonment Request   | <input type="checkbox"/> Request for Refund   | <input type="checkbox"/> 1) Fee Sheet (3 month extension request)<br>2) Certificate of Facsimile Transmission<br>3) Notice of Appeal Under 37 CFR 1.191 |
| <input type="checkbox"/> Information Disclosure Statement  | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)  |   |   |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application  |   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53   |   |   |
| Remarks  |   |   |
| The Commissioner is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account No. 05-1712 in the name of ExxonMobil Chemical Patents Inc. |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |   |
|-------------------------|---|
| Firm or Individual name | Catherine L. Bell<br>Registration No. 35,444<br>Customer No. 23455                  |
| Signature               |  |
| Date                    | January 12, 2004  |

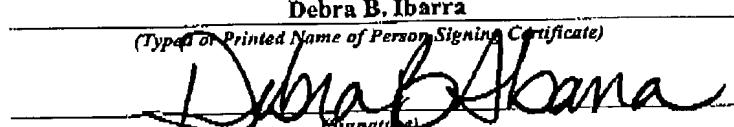
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|                       |                    |      |                  |
|-----------------------|--------------------|------|------------------|
| Typed or printed name | Jennifer S. Kaldor | Date | January 12, 2004 |
| Signature             |                    |      |                  |

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|--|---------------------------------|-----------------------------------|----------------------------------|
| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b><br>Applicant(s): Jo Ann M. CANICH   |                                 |                                   | Docket No.<br><b>1989B010C/4</b> |
| Serial No.<br><b>07/973261</b>   | Filing Date<br><b>11/9/1992</b> | Examiner<br><b>Roberto RABAGO</b> | Group Art Unit<br><b>1713</b>    |
| Invention:<br><b>Process for Producing Crystalline Poly-alpha-Olefins With a Monocyclopentadienyl Transition Metal Catalyst...</b>   |                                 |                                   |                                  |
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| <b>FEB 04 2004</b><br><b>OFFICIAL</b>  |                                 |                                   |                                  |
| I hereby certify that this <u>Duplicate Submission of Earlier Filed Responses (18 pages incl. fax cover)</u><br><small>(Identify type of correspondence)</small><br>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u> )<br>on <u>03 February 2004</u><br><small>(Date)</small> |                                 |                                   |                                  |
| <u>Debra B. Ibarra</u><br><small>(Type or Printed Name of Person Signing Certificate)</small><br><br><small>(Signature)</small>   |                                 |                                   |                                  |
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PTO/SB/21 (08-03)

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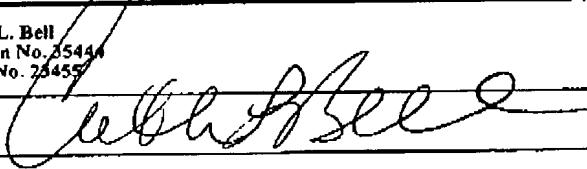
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|  |    |                        |                |
|--|----|------------------------|----------------|
|  |    | Application Number     | 07/973261      |
|  |    | Filing Date            | 11/9/1992      |
|  |    | First Named Inventor   | CANICH         |
|  |    | Art Unit               | 1713           |
|  |    | Examiner Name          | Roberto RABAGO |
| Total Number of Pages in This Submission | 18 | Attorney Docket Number | 1989B010C/4    |

## ENCLOSURES (check all that apply)

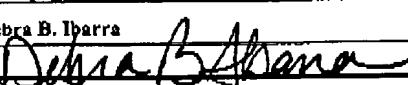
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| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                      | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input type="checkbox"/> Amendment / Reply                                   | <input type="checkbox"/> Petition                                      | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation                 | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Change of Correspondence                      | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):   |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer                           | <input type="checkbox"/> Duplicate Submission of Earlier Filed Response under 37 CFR 1.116, Notice of Appeal and Petition for Extension of Time   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund                            |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                     |   |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    | <input type="checkbox"/> Remarks                                       |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |  | Facsimile Transmission - 1 page<br>Transmittal - 1 page<br>Communication - 1 page<br>Response under 37 CFR 1.116 and Proof of receipt - 9 pages<br>Notice of Appeal, Petition for Ext. of Time and Proof of receipt - 6 pages |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |  |
|-------------------------|--|
| Firm or Individual name | Catherine L. Bell<br>Registration No. 35444<br>Customer No. 23455                    |
| Signature               |  |
| Date                    | 03 February 2004   |

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| Typed or printed name | Debra B. Ibarra   |
| Signature             |  |
| Date                  | 03 February 2004  |

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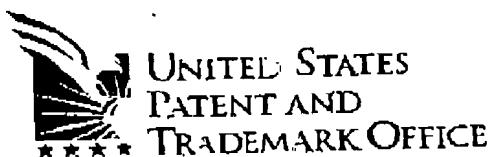
FEB-04-2004 16:36  
10/01/03 18:35:00

EXXONMOBIL LAW TECHNOLOGY  
USPTO-> 281 834 0135 10/01/03 18:35:00

281 834 0571 P.04

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| CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.6)   |                                 |                             |                        |
| Applicant(s): Jo Ann M. Canich  |                                 |                             |                        |
| Serial No.<br>01/073,361  | Filing Date<br>November 9, 1993 | Examiner<br>Roberto Hidalgo | Group Art Unit<br>2713 |
| Invention:<br>Process for Producing Crystalline Poly-Alpha-Olefins with a (Monomylooctene-1/1,4-Pentadiene) Transition Metal Catalyst System  |                                 |                             |                        |
| I hereby certify that this <u>Transmittal, Amendment &amp; Response Under 37 CFR 1.116 (3 pages)</u> (Identify type of correspondence)<br>is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. <u>703-572-9311</u> )<br>on <u>October 1, 2003</u> (Date)<br><br><i>Jennifer S. Kaldeas</i><br>(Signature)<br>(Type or Printed Name of Person Signing Certificate) |                                 |                             |                        |
| Note: Each page must have its own certificate of mailing.   |                                 |                             |                        |
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